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7 UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
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10 UNITED STATES OF AMERICA, ) Case No.: 2:15-mj-522-NJK  
Plaintiff, ) STIPULATION TO CONTINUE  
11 vs. ) PRELIMINARY HEARING  
12 TYRONE PAUL PONTHEIUX, ) (Fourth Request)  
Defendant. )  
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15 IT IS HEREBY STIPULATED AND AGREED, by and between the United  
16 States, by and through Daniel G. Bogden, United States Attorney, and Steven W.  
17 Myhre, Assistant United States Attorney, and Defendant Tyrone Pontheiux, by and  
18 through his counsel, William H. Gamage, Esq., that the Preliminary Hearing in this  
19 matter currently scheduled for September 21, 2015, at the hour of 4:00 p.m., be  
20 vacated and continued for at least twenty-one (21) days, or to a date thereafter  
21 convenient to the Court.

22 The parties stipulate as follows:

23 1. The parties are engaged in plea negotiations and require additional time  
24 to attempt to resolve the case short of indictment or a preliminary hearing. In

1 connection with these negotiations, defense counsel requires additional time to review  
2 discovery produced in the case.

3       2.     The defendant is incarcerated and does not object to the continuance.

4       3.     The additional time requested herein is not sought for purposes of delay,  
5 but merely to allow counsel for the government and the defendant sufficient time to  
6 attempt to resolve this matter.

7       4.     Denial of this request for continuance would deny counsel for the  
8 defendant sufficient time to effectively and thoroughly review discovery and complete  
9 negotiations, taking into account the exercise of due diligence.

10       5.     Denial of this request for continuance could result in a miscarriage of  
11 justice.

12       6.     The additional time requested by this Stipulation is excludable in  
13 computing the time within which the trial herein must commence pursuant to the  
14 Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the  
15 factors under Title 18, United States Code, Section 3161(h)(7)(B)(i) and  
16 3161(h)(7)(B)(iv).

17       7.     This is the fourth request for a continuance of the preliminary hearing  
18 in this matter.  
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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	Case No.: 2:15-mj-522-NJK
	)	
Plaintiff,	)	<b>ORDER TO CONTINUE</b>
	)	<b>PRELIMINARY HEARING</b>
vs.	)	
	)	
TYRONE PAUL PONTHEUX,	)	
	)	
Defendant.	)	

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This matter coming on the parties' Stipulation to Continue Preliminary hearing, the premises therein considered, and good cause showing, the Court finds as follows:

1. The parties are engaged in plea negotiations. The defendant requires additional time to review discovery and attempt to resolve the case short of indictment or a preliminary hearing.

2. The defendant is incarcerated and does not object to the continuance.

3. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the government and the defendant sufficient time to attempt to resolve this matter.

4. Denial of this request for continuance would deny counsel for the defendant sufficient time to effectively and thoroughly review discovery and complete negotiations, taking into account the exercise of due diligence.

